

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LADON SHIVER,

No. C 07-3690 SI (pr)

Plaintiff,

**ORDER OF TRANSFER**

v.

J. FRANCO; et al.,

Defendants.

Ladon Shiver filed this civil rights action under Bivens v. Six Unknown Named Agents, 403 U.S. 388 (1971), complaining of acts and omissions that occurred at the United States Penitentiary in Atwater, California. Atwater is in Merced County, within the venue of the Eastern District of California. Defendants also apparently reside in the Eastern District of California. Venue therefore properly lies in that district and not in this one. See 28 U.S.C. § 1391(b). Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action is TRANSFERRED to the United States District Court for the Eastern District of California. The court has not ruled on any pending motions. The clerk shall transfer this matter.

IT IS SO ORDERED.

Dated: July 23, 2007

  
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SUSAN ILLSTON  
United States District Judge